

## DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD FOR RECOVERING MATERIALS FROM WASTE TIRES described and claimed in the specification filed herewith.

I have reviewed and understand the content of said specification, including the claims, as amended by any amendment referred to above. I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, C.F.R., 1.56(a).

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the filing date of this application.

| <u>Application<br/>Serial No.</u> | <u>Filing Date</u> | <u>Status (patented,<br/>pending, abandoned)</u> |
|-----------------------------------|--------------------|--|
| 09/154,636                        | September 17, 1998 | Pending  |

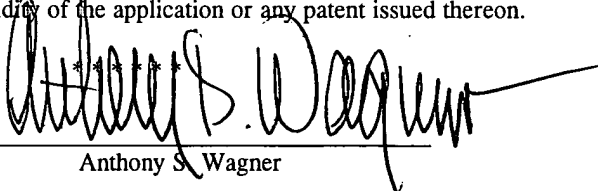
I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Russell D. Culbertson, Reg. No. 32,124  
John Nevin Shaffer, Jr., Reg. No. 29,858

Address telephone calls to Russell D. Culbertson at telephone number: 512/327-8932. Address correspondence to: Russell D. Culbertson, 1250 Capital of Texas Highway, S., Building One, Suite 360, Austin, Texas 78746.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

01-10-02  
Date

  
Anthony S. Wagner

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